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of the report of it, is not long enough to give an opportunity for many new decisions in other courts relating to the points involved in the cases reported, and it can hardly be expected of a reporter to go through all the indexes, in each case, to pick up what may have been overlooked by the counsel, on each side, and by the court; and accordingly but very few additions of this sort can be looked for. In one instance, p. 283, the reporter cites an additional case of some importance from Barnewall and Alderson, and subjoins—what we think might have been better omitted—a few remarks upon the question, whether the case in Barnewall and Alderson, if it had been brought under the attention of the court, would have influenced their decision. The reader is prepared to follow the editor of a book of reports, that has for some time been before the public, through a range of speculations, and arguments, as well as authorities, but there are many reasons why a reporter, more especially an official one, should confine himself, in the original publication of decisions recently made, to a report and references. The case cited in this instance is certainly very close, in its circumstances, to that decided by the court, and is well worth citing, and the remarks are so short, and at the same time so pertinent, that we should not have thought of excepting to their insertion, but for the practice that has been adopted by other reporters in a few instances, of appending distinct independent treatises to their reports, and thus blending things, which have very little connexion with each other; and making it necessary for many members of the profession to purchase treatises which they may not want.

ART. VIII.—1. *The Seventh Annual Report of the American Society for Colonising the Free People of Color of the United States; with an Appendix.* 8vo. pp. 176. Washington. Davis & Force. 1824.

2. *Correspondence relative to the Emigration of Free People of Color in the United States; together with the Instructions to the Agent sent out by President Boyer.* 8vo. pp. 32. New York. 1824.

THE history, designs, and operation of the American Colonisation Society have so recently been made topics of ample

discussion in our journal, that we have no occasion to add more at present, than a few incidental remarks on the present condition and prospects of the Colony abroad and the Society at home. The subject of devising means for relieving the United States of the burden of its colored population, must be deemed by every patriot, and every friend of humanity, as one of deep interest to the nation. We know it is easy to be very extravagant and very chimerical on this subject; to be zealous without knowledge, and active without discretion; to invent theories that will never be put in practice, and dream dreams that will never come to pass. All this we admit, and yet we affirm, that it proves nothing against the practicability of such a scheme as is contemplated by the Colonisation Society, carried forward judiciously and perseveringly to its natural results.

As to the two projects, which have occupied a large share of public attention of late, namely, colonisation in Africa, and emigration to Hayti, there seems no good reason why success should not be wished to both of them, since the ultimate purpose of each, as far as the United States are concerned, is the same. But if a parallel must be drawn between the two, we confess our partiality for the former, inasmuch as it promises in our opinion equal, if not greater advantages to the emigrants themselves, the same benefit to this country, and an infinitely greater one to the cause of humanity. The slave trade, that dark and bloody page in the history of man, can never be suppressed except by efforts in Africa itself. The plant will never wither, nor cease to exhale its poison, till it is thoroughly rooted from the soil, which ministers to its nourishment and growth. Governments may pass laws and execute them, arm navies, and fill the African seas with ships of observation; and all to little effect. The love of gain is the last passion, which is appalled by threatened danger, or yields to physical force. The malady in Africa is a moral and intellectual one; it must be removed by moral and intellectual remedies. Such is the power of habit on the mind, that, after the practice of ages, neither principle, conscience, nor humanity, utters a single remonstrance in the African bosom against this most odious and disgraceful traffic. Civilisation, a knowledge of the arts, and religion, must be the precursors of a better state of society. When this state shall be attained, slavery will exist no longer;

the trade on the ocean will sink to nothing ; and millions of human beings, who are now a burden on one quarter of the earth's surface, and defile it by their degradation and their crimes, will be raised to a rank among enlightened nations, form governments on principles of wisdom and equity, and enjoy the blessings of intelligence and virtue. Now we are not so visionary as to say, that a colony of free blacks from America would work such a change ; but we do say, that the planting of such a colony is a first step, which may open a train of causes leading to these ends. And to set the thing in a stronger light, it may be added with perfect confidence, that without some such beginning, there seems not the remotest probability of the chains of servitude being broken by any human means, or of the cloud being removed, which buries a continent in its darkness.

From the last Report of the Society, and the intelligence brought home by the agent, who has recently returned from Africa, it appears that the colony at Liberia has enjoyed, up to the present time, a degree of prosperity quite equal to the anticipations of its ardent patrons. In fact, experience has already confuted the most formidable objections at first urged against colonisation. It was insisted, that colonists could not be induced to embark, whereas the voluntary applications have greatly exceeded the number for which the society could provide. Next it was urged, that the expense of transportation would be so heavy, that it could never be met except in a very limited extent ; but this item has been proved to be much less than was apprehended, and when the colony shall be so far advanced as to afford profitable return cargoes, it will be reduced to a comparatively insignificant amount. Again, the climate was set forth as destructive of life and health. This is no doubt true to a certain degree, when considered in relation to the climate of northern latitudes, but, except in one or two instances of a very peculiar nature, it does not appear that the colonists have suffered more from sickness, than is common in tropical regions under similar circumstances. Then we are told of the savage and hostile character of the natives, and of their cruel and exterminating wars. The event of a slight conflict has shown this fear to have been groundless, and has inspired the colonists with confidence, by demonstrating the comparative weakness of their neighbors. Lastly, it was

said, that the British settlements would regard with no favorable eye a colony, subject to a foreign power, rising up near them; but so far from any such jealousy, the government at Sierre Leone, and the British cruisers on the coast, have on several occasions rendered essential aids to the American emigrants. Thus have been confuted, in the progress of events, all the main objections originally advanced against the plan and purposes of the society.

At the close of a full examination of this subject, in our Forty Second Number, we suggested the expediency of establishing a school, or schools, in this country, under the auspices of the Colonisation Society, for the purpose of instructing the children of free people of color, and giving them an education suited to their future condition as colonists in Africa. We are happy to find, that a scheme of this sort is now in contemplation, and to have it in our power here to insert a letter, recently written by General Harper to the Rev. Dr Woods, of Andover, in which the designs of the society in regard to the school are fully developed. The document is published with the approbation of both these gentlemen, and is the more valuable, as exhibiting from the highest authority the present state of the colony.

‘I had an interview with Dr Ayres soon after his visit to the eastern states and New York,’ says General Harper to Dr Woods, ‘in which he informed me of various conversations which he had there, on the subject of a plan for the education of young people of color, as a preparation for their emigration to some other country, where they may enjoy the real advantages of freedom and civilisation. He mentioned you as one of the persons, who have thought much on this subject, and were engaged or disposed to engage actively in prosecuting so benevolent and patriotic an enterprise. As both he and I long had it much at heart, and are now employed in devising means for its accomplishment, he was of opinion that some good might be derived from a full communication of our views to you, which he strongly urged me to make; assuring me that it would be well received, and might lay the foundation for a concert of measures and union of means, from which the most beneficial results might be anticipated. In this hope I have taken the liberty to address you.

‘When the African colonisation scheme was first set on foot in this part of the United States, it immediately occurred to all who engaged in it, that nothing more could be effected by individual exertion, than to open and pave the way ; to shew what might be accomplished, and in what course success was to be sought. The rest, they were sensible, must be done by the general or state governments, or by both united, under the influence and with the sanction of an enlightened public opinion.

‘To this object all their efforts have been directed. It embraces two operations. The first is to prove by actual experiment, that a colony of civilised blacks may be established, on the southern coast of Africa ; that a suitable and healthy situation may be found, and procured by purchase from the natives ; that the good will and good neighborhood of the latter may be secured, and the colony thus placed in safety ; that by proper precautions all danger to the colonists from the climate may be avoided ; that colonists in abundance, and of a proper character and description, may be found ; that they may be transported to the colony at a moderate expense, which will be greatly diminished, when a regular and extensive commerce between this country and that shall be established ; that the materials of such a commerce already exist, to a very considerable extent, as well as a favorable disposition for it in the minds of the natives ; that both must increase with the increase of the colony, and the consequent discouragement and decrease of the slave trade in that quarter ; and that the colony may very soon be placed in a condition to govern and protect itself, and not only to provide abundantly for its own wants by the products of its agricultural industry, but to have a large surplus for commerce with this country and Europe, which will furnish the means of a very gainful trade with the natives.

‘All this we consider as satisfactorily proved, by the experiment thus far made. The colony indeed is small but it is healthy, composed of good materials and firmly established. The attacks made on it by the natives, in greater force and with more extensive combinations than are ever again to be apprehended, were repelled when it was much weaker and less provided for defence than at present. The conduct of the natives has ever since been friendly and kind. They

manifest great readiness to trade, a great desire to procure instruction for their children, and the utmost willingness to exchange their labor for those objects of consumption and enjoyment, which they were heretofore accustomed to obtain by the sale of each other. The colonists, when the last accounts were transmitted, had not yet raised a crop, and consequently did not actually support themselves; but many of them had one in the ground, and almost all had received their allotments of land, which they were preparing for cultivation. Their subsistence, by their own means, may therefore be considered as secured.

‘On the essential article of government the last accounts are highly satisfactory. The government was in the hands of men of color, elected by the colonists, and went on well. The number of applicants who wish to be sent to the colony is much greater, than can be received. They consist almost wholly of persons brought up and accustomed to live in the country, by agricultural employments, or those handicraft arts which are indispensable to an agricultural people. The population of the cities is not considered as suitable for such a settlement as ours. Hence the emigration to Hayti does not interfere with our plan; but rather works together with us, for the attainment of the same great end.

‘We therefore regard the first part of our object, which relates to the practicability of colonising the blacks on the southwest coast of Africa, as having been attained. The second is to shew how it may be carried to such an extent, as to relieve the United States gradually and imperceptibly, but effectually, from the great and growing evil of the black population, and thus to leave room and time for the white population to fill up the void, by its natural increase.

‘We are very sensible that colonies of blacks planted on the coast of Africa, in however limited an extent, cannot fail to be very useful. They place the colonists themselves in a far better situation, where they may be really and effectively free, and may enjoy all the advantages which naturally result from freedom and civilisation united. They rid this country, as far as they go, of a useless population, to say the least of it; which is generally vicious and corrupt, or exposed to the almost inevitable danger of being rendered so, by their own degradation, and their contaminating communications with a

degraded race. So far as these colonies succeed, they tend to lay a foundation for African civilisation, and for the diffusion of knowledge and true religion, in that benighted region. Consequently they are highly useful and deserving of encouragement, however limited may be their extent. But the great utility of this enterprise, to this country, to the African race here, and to Africa itself, depends upon its receiving such an extension, as gradually to embrace the whole black population of the United States. This we know requires indispensably the consent of those, who have an interest in the services and labor of this description of persons. This interest is a right of property, as well secured by the laws and as sacred in the eye of the law, as any other right whatever. It cannot and must not be touched. But we believe that by a proper course of measures, the consent of those who hold this property may be obtained; and to this object all our measures are mainly directed.

‘To accomplish that object, and to effect the entire removal of the black and colored population, we believe that we must turn our attention to the rising generation. We must embrace them in a great scheme of education, which may gradually be made to absorb them all, with the consent of their parents where free and their owners when slaves, and may fit them all for transplantation, at a proper age. To set an example of this scheme of education, to shew how it may be effectually conducted, is the next great object we have in view. It is in this most important object that we wish and hope to obtain your assistance, and that of the enlightened and philanthropic body with which you are connected.

‘For this purpose our plan is to establish what we call a seminary farm, which may serve as a pattern for similar institutions throughout the Union, and especially in those states where slavery exists; which may show by experience and example what can be done, and how it ought to be done. We intend to purchase or rent a good farm, in a healthy and convenient situation, with proper buildings for the accommodation of about one hundred children of color, of both sexes. This farm we prefer having in Maryland; because the children as they grow up can be better governed, in a state where slavery exists. Dr Ayres, whom you know, and who from his energy, intelligence, and experience, is highly qual-

ified for the task, is intended to have the superintendence of the establishment. When it is ready, young persons of color, between ten and fourteen years of age, will be received and educated.

‘It is believed and expected that as soon as the seminary can be opened, a considerable number of free colored children will be placed there by their parents; and that some, perhaps many, who are slaves will be sent by their owners. The conditions on which both descriptions will be received are, that they shall be so employed as to maintain themselves while acquiring the necessary improvements, till they arrive at a suitable age; and shall be then sent to the colony at Liberia, and settled there with the usual allotment of land.

‘The chief employment of the males while at the seminary will be agriculture. They will cultivate the farm or assist in its cultivation, and the produce will be appropriated to the support of the establishment. There will also be workshops established, for all the common handicraft trades, such as smiths, shoemakers, carpenters, and others of the first necessity, where all such boys as are found to possess a particular aptitude for any of these trades, will be employed in them under suitable instructors, and the proceeds of their labor will be applied in the same manner. The girls will be kept in separate apartments, and employed under suitable female instructors, in all sorts of domestic industry, household occupations, household manufactures, and the various employments suitable for females of the laboring class. Such parts of the product of their industry, as may not be wanted for the use of the establishment will be sold, and the proceeds applied in defraying its expenses.

‘There will be a school, in which at proper hours all the young persons will be taught reading, writing, and the rudiments of arithmetic. Means will be devised for carrying farther those boys who may display extraordinary capacity. All will be required to attend religious worship, and receive religious instruction, at proper times; for which purpose a clergyman and a place of worship will be provided.

‘The most efficient means will be adopted and enforced, for preventing all improper communications among these young people themselves, or with others beyond the pale of the seminary. To render these means effectual is one great

object of establishing the seminary in a state where slavery exists, and where alone the proper authority for this and other indispensable purposes could be exercised. The children, when slaves, will be given to the institution as slaves, to be liberated when at a proper age for colonisation. When the children of free parents they will be bound till they arrive at a proper age. On these conditions alone will any of either class be received.

‘As an encouragement to good conduct and industry, an account will be opened with each child when placed in the seminary; in which it will be charged with its necessary expenses, including its board, clothing, and proportion of general expenses, such as rent, fuel, taxes, and superintendence, and credited with all its labor at fixed rates. The surplus will be invested in a savings bank, to accumulate for the benefit of the child, and to form a fund for its outfit on removing at a proper age to the colony. This is regarded by us as a very important object. Its details will be troublesome and laborious, but it will be attended to with the utmost strictness.

‘Such is the outline of the plan. The funds for purchasing a suitable farm, and commencing the operation were at one time believed to have been provided. A farm every way suited to the object had been selected, and a treaty commenced for its purchase with fair prospects of success. But a disappointment in relation to the funds has taken place, which compels us to suspend all our proceedings till new resources can be found. I apprehend no other difficulty. Young persons of color may, I am very fully persuaded, be very soon found, in any desirable numbers, to fill up the seminary, and furnish a constant supply. Many slave owners in this and other states will, I am assured, make contributions in young slaves, as soon as the establishment is ready for their reception. A still greater number of free blacks will be eager to send their children. It is intended at first to receive those of an unexceptionable character, without attention to age, in order to get the establishment into operation. When that object is accomplished, the regulation on the subject of age will be adhered to strictly.

‘No doubt is entertained, that in a short time this establishment may be made not only to sustain itself, but to leave a surplus for its enlargement and for other objects. It is

hoped and believed, that when brought into successful operation, it will serve as a pattern for numerous similar institutions, throughout the slave holding states, and in other suitable situations; to be established and sustained by the government, and supplied with pupils by purchases of young slaves, with the public funds. Thus, while the present and next succeeding generations are left to disappear gradually, in the ordinary course of nature, their progeny may be imperceptibly withdrawn from their degraded situation, fitted for a higher condition, and transplanted without a shock or convulsion, or too sudden a change in the state of society and of labor, to a soil and climate suited to their nature; where they may find a country, and in becoming citizens and freemen, may confer incalculable benefits on the whole African race, and contribute as much, by a mutually beneficial commerce, to our wealth, strength, and prosperity, as they now do to that poverty and weakness, which are conspicuous in the parts of the United States which they inhabit.

‘Such, sir, is the outline of the undertaking, in which I wish to interest you and your enlightened and philanthropic friends in the east. Should you or they deem it worthy of further inquiry, I shall at all times be happy to answer any questions which you may propose, and to give you such information or hints as may be in my power.’

These general features of the scheme are in the main judicious and well devised. We have only to add, that we hope provision will be made for receiving into the school and instructing any recaptured Africans, that may chance to be rescued in this country; as in the case, for instance, which occurred at Baltimore eighteen months ago. It is very important, also, to provide for receiving native children from Africa. It is a common thing for the chiefs and head men to desire their children to be instructed in reading, writing, and the arts of civilised life; several have been sent to England for this purpose, and among the native chiefs now on the coast the number is not small of those, who can speak and write the English language fluently. In many cases the parents of the children would be able to pay the expense of their education. The whole concerns might be negotiated through the agent at the colony, with whom the natives would be acquainted, and in whom they would confide. The ad-

vantages of such instruction to the youth, who are afterwards to be the leading men of their tribes, are incalculable. And it is to be hoped, that it may soon be in the power of the Society to establish a similar school in the colony itself, where the natives may be accommodated at less expense. And we would again intimate, what we suggested on a former occasion, that auxiliary societies, in addition to subscribing to a general fund, should be encouraged to select and send to the African school, proposed to be established in this country, any pupil whom they may choose, and become responsible for the expense of such individual while in the school. In this way, children of the best capacity and character will be likely to be brought together, a vastly greater number of persons will be interested in the success of the school, and the society itself be relieved from a large portion of the burden under which it must labor, if compelled to collect funds for the entire support of the establishment.

Some of our readers may perhaps be curious to know the fate of the eleven Africans, the particulars of whose rescue were described by us on a former occasion. They sailed from Baltimore in the packet ship *Fidelity*, and all arrived safely at Liberia, where they were given in charge to Dr Ayres, at that time agent of the colony. This gentleman returned with them to their own home, as related in the following extract from a letter written by him.

‘It was ascertained that they had been taken in war near our settlement, and sold to King Shaker, of Gallenos, and by him sold to the captain of a Spanish vessel. This vessel was plundered by captain Chase, of Baltimore, and boldly brought into that port, trusting to his influence with certain persons of high standing, to elude the authority of our laws. But by the interference of E. Tyson, deceased, there was an investigation, and the slaves were detained until I arrived in that city, and took charge of them as Agent of the Colonisation Society. Their case could not be decided before I sailed for Africa, but they were shortly after set at liberty, and sent in the African packet to our colony, and delivered to my care. As they all preferred returning to their parents and families to remaining in our colony, they were permitted to do so.

‘When I went on board the vessel, though much emaciated and reduced almost to a skeleton, they immediately recognised me to be the person who had the year before rescued them from slavery. I had scarcely stepped my foot on deck before they were all round

me, expressing by words and gestures the most heartfelt satisfaction for the favors they had received.

‘When the vessel was getting under way, yielding to early impressions, by which they had been taught to consider a white face and treachery as inseparable, they concluded they were betrayed, and were again to return to America. They sprang below to get their bags, and were about to plunge into the ocean, and swim to the shore with their bundles. On being assured I was about to restore them to their native towns, some of which were nearly in sight, their confidence was restored, and they contentedly went to work. When arrived at Sugary, our crew being sickly, I sent on shore for Charles Gomez, a native, who had been educated in England, to come off with his boat, and take the captives on shore. He came off, accompanied by several of the natives; and here a most interesting interview took place between these long separated acquaintances.

‘A circumstance attending this affair is truly characteristic of the African character. One of these captives had been taken by this Gomez two years before, in a war between him and the father of the captives, and afterwards sold to King Shaker. This captive was at first very shy of Gomez, and refused to go on shore with him, fearing the war was not yet over, and that he should be again sold to a slave vessel then lying in sight; but I assured him that he was in no danger; that I knew the war to be over; that Gomez was a particular friend of mine, and traded with me; and in the presence of both assured them, that should Gomez attempt to do him injustice, I would not fail to chastise him. These assurances entirely overcame his doubts, and when told that his father and the fathers of two others of them were then standing on the beach, not knowing that it was their sons, whom they had long supposed were doomed to perpetual slavery, were so shortly to be restored to their fond embraces, they all stepped into the boat, and in a few minutes astonished their delighted parents on the shore. I was much pleased to see that Gomez appeared truly to enter into the feelings of those poor creatures at this time, although he had been the cause of all their sufferings; but that it was considered by them as the fortune of war, and created no hostile feelings of revenge.’

Apprehensions have been expressed, that the colonists would be in danger from the Ashantee wars; but a very slender stock of knowledge of African geography would dissipate all such fears. The distance between the colony and the Ashantee country is several hundred miles, and the intermediate regions are peopled by numerous distinct tribes, who form an impassable barrier to any hostile incursion, even ad-

mitting what is wholly out of the question, that there could be any possible motive for such an attempt.

In regard to emigration to Hayti, as we have hinted above, the plan approves itself to us as one, which ought to be promoted, for although our predilection is in favor of the colonisation scheme, yet we do not perceive that one interferes in the remotest degree with the other. The great object of the philanthropist, and of the patriot, and we presume of every person engaged in either of these enterprises, is to free the United States of its colored inhabitants, by providing an asylum for them in some other country, where they may enjoy the blessings of liberty, and sustain an equality of rank and condition. This we say is the primary object, and it will not be denied, that this object is as completely gained, by sending these people to the healthful climate of Hayti, under an organised and liberal government, as by transporting them to Africa. It is true, the noble and humane purpose of kindling the torch of civilisation in Africa is not advanced by the Hayti project, yet, after all, as far as we in the United States are concerned, this is but a secondary consideration, and we may well be satisfied with relieving ourselves from the evil of the colored population, and if possible, wiping the disgrace of slavery from the charter of our country's freedom, without deeming it a condition absolutely requisite, that we should take on ourselves the task of enlightening and civilising a continent long buried in darkness. These things may safely be entrusted in the hands of Providence, without any reproaches on our conscience for neglect of duty ; and although it would be a cause of joy to see the sons of Africa returned to the home of their fathers, establishing good governments among themselves, and communicating the influence of their example to their degraded brethren, yet as this event can only be accomplished by slow degrees and in a limited extent, it would seem a dictate of wisdom and humanity to open any other channel, through which a portion of the colored population may in the meantime pass to a country, which promises them equality of rights and privileges, a fertile soil, protection of property, and the consequent advantages of social life.

From the best accounts, which can be obtained, Hayti is such a country. Its government is apparently founded on principles as liberal, as the present condition of the people

will bear, and for the last few years it has been administered with energy. The nation has flourished, agriculture and commerce advanced, and the whole fabric, both political and social, has been gaining consolidation and strength. The trial by jury, that great palladium of human rights in a free government, has not been introduced ; the mass of the old inhabitants were too ignorant to act in the capacity of jurors, and it was more safe to leave the cause of justice in abler although in fewer hands. But the numerous schools now instituted, and the universal diffusion of education, have already produced a change in this respect, and the time may be anticipated as not far distant, when the trial by jury, a more general extension of the electoral franchise, and some other principles essential to a strictly popular government, will be engrafted into the constitution of Hayti.

Nothing can be more fair and honorable, or indicate a better spirit, than the part which President Boyer has acted, respecting the emigration of our people of color to that country. He invited them first by a proclamation, offered them lands, citizenship, and all the privileges of native Haytians. Out of his own private purse he paid the expenses of numbers, who accepted this offer. Individuals, who have of their own accord gone out to seek employment, he has aided, and if they were industrious and sustained good characters, he has continued to them his patronage, providing them with lands to cultivate, or other means of occupation. Whatever may be the motives of interest with which he is influenced, in wishing to increase the population of the island, and extend the growth of its agriculture and commerce, all his communications and all his actions prove that he has a higher motive ; that he feels deeply for the condition of the colored people in this country, and that he is ready to make any reasonable sacrifice for their relief. His proclamation above alluded to, his letters to Mr Dewey and Mr Collins, his instructions to citizen Granville, published at New York in the pamphlet of Correspondence now before us, and his private communications to individuals in the United States, some of which we have seen, bear the amplest testimony to this fact. In short, we doubt not that perfect confidence may be placed in his professions and designs, and that his promises will be realised, unless some unforeseen changes in the government shall take from him the

power and the means, and transfer the sceptre into other less beneficent hands.

The following particulars contained in President Boyer's instructions to Mr Granville, his agent in this country, will show on what terms he is willing to receive emigrants, and what they are to expect in Hayti.

‘The advantages which attend emigration are, 1st, that they shall enjoy in Hayti, all civil and political rights, (Article 44th of the Constitution;) 2dly, they shall have entire liberty of conscience, in their religious practices; 3dly, they shall obtain concession of land in fee simple, when they shall have made settlements on the said lands; (copy of my circular to the governors of the provinces;) the whole, provided they engage to be faithful to the laws of the Republic, whose children and citizens they will become, and provided they undertake nothing contrary to its tranquillity and prosperity.

‘To regulate better the interests of the emigrants, it will be proper to let them know in detail, what the government of the Republic is disposed to do, to assure their future well being, and that of their children, on the sole condition of their being good and industrious citizens; you are authorised in concert with the agents of the different societies, and before civil authority, to make arrangements with heads of families, or other emigrants who can unite twelve people able to work, and also to stipulate that the government will give them a portion of land sufficient to employ twelve persons, and on which may be raised coffee, cotton, maize, peas, and other vegetables and provisions, and after they have well improved the said quantity of land, which will not be less than 36 acres in extent, or 12 carreaux, (the carreau being 100 paces square, and the pace three feet and a half, French,) government will give a perpetual title to the said land to these twelve people, their heirs and assigns.

‘Those of the emigrants who prefer applying themselves individually to the culture of the earth, either by renting lands already improved, which they will till, or by working in the field, to share the produce with the proprietor, must also engage themselves, by a legal act, that on arriving at Hayti, they will make the above mentioned arrangements, and this they must do before the judges of the peace, so that on their arrival here, they will be obliged to apply themselves to agriculture, and not be liable to become vagrants.

‘To all those, and those only, who will engage themselves, as is here prescribed, you are authorised, always acting in concert with the different societies, to contract, that the expense of their passage and maintenance during the voyage, shall be paid on their arrival

at Hayti, by the government, which will give them also the means of subsistence during four months, after their landing and settlement on the ground they are to cultivate, which will be long enough for them to procure by their labor and settlement, the means of supporting themselves.

‘ Nothing will be required of them for what may have been paid for their passage and subsistence, which is a donation made to them by the Republic.

‘ As for those who wish to come to Hayti, to engage in commercial or mechanical pursuits, you are authorised to assure them, that the expense of their passage, and maintenance during the voyage, shall be paid in Hayti, provided they bind themselves before civil authority in the United States, to return to the government of the Republic, six months after their arrival here, the advance which shall be made to them. The same privilege of advance, on condition of reimbursement, shall be granted to those who come to buy, rent, or till in shares, lands cultivated, or to be cultivated, or who come to engage themselves as servants, workmen, or laborers, the law granting a right to every Haytian, to exercise his industry as he pleases, provided he does nothing contrary to the good order of society.’

The President moreover declares, in his letter to Mr Dewey, that

‘ All those, who will come, shall be received, no matter what may be their number, provided they submit themselves to the laws of the state, which are essentially liberal and protecting, and to the rules of the Police which tend to repress vagrancy, to maintain good order, and to confirm the tranquillity of all. There is no price to stipulate for, as respects the land ; since the government will give it gratis, in fee simple, to those who will cultivate it. The emigrants will be distributed in the most advantageous manner possible, and those who may desire it, shall be placed in the neighborhood of each other.

‘ They shall not be meddled with in their domestic habits, nor in their religious belief, provided they do not seek to make proselytes, or trouble those who profess another faith than their own.’

Other facts have also come to our notice, which bear equal testimony to the good intentions of President Boyer in offering a residence and protection in Hayti to the colored people of this country. These facts we now proceed to state. It is well known, that many of the inhabitants of Illinois and Indiana have been desirous of introducing slavery into those states, owing probably to the fact, that they are emigrants

from slave holding states, and accustomed to that kind of labor in cultivating their plantations. It may also be premised, that as these states border on slave states at the south and west, the temptation for kidnapping is greatly enhanced, by the facility with which the victims of this inhuman crime may be hurried into the slave states and sold. When these things are considered, it is hardly to be supposed, that the free people of color have found Illinois and Indiana very secure or comfortable places of abode. In short, the practices of unprincipled men had for a time rendered their condition little more enviable than actual servitude, by molesting them in the enjoyment of their rights and property, and annoying them with perpetual alarms at the apprehension of being robbed of their liberty. A daring and wicked attempt was also made, in many instances, to evade the laws of the states, and hold slaves by a fictitious contract. A resident of Kentucky would sell his slave to an inhabitant of Illinois, and give him over to his new master by an indenture, in which the slave bound himself to service for *ninetynine years*, and confirmed the agreement by a mark made with his own hand at the bottom of the instrument. Thus transferred, the slave was taken into a free state, and was said to be bound to service for a term of years. This trick, the shallowness of which could only be exceeded by its villany, was soon detected, and there were not wanting friends of humanity and justice to see the laws properly executed.

The consequence was, that several persons of color, who had formerly been slaves, were set at liberty. Their original masters had sold them for a stipulated compensation, and their purchasers could not hold them as slaves in a free state. The persons, who had thus defrauded themselves by their own infamy, were extremely exasperated at the result. They entered into a sort of conspiracy against all the blacks, who had been freed, and seemed resolved in defiance of law to seize by force, what they could not retain by injustice. A particular case will illustrate the subject. A man of color came to Mr Flower, of Albion, Illinois, and asked for employment, declaring himself to be free. It was soon found, that he was held by an indenture in Indiana, but Mr Flower, being convinced of its illegal and fraudulent character, retained him in his service. A few days afterwards, a party

came upon the man, and attempted to take him off by force ; but this attempt was frustrated, and a temporary reconciliation was effected, by Mr Flower and Mr Ronalds giving bail in the sum of one thousand dollars for his appearance at court. This transaction opened to new plots of villany. The amount of bail was much greater than the man was worth as a slave. A scheme was laid to seize him by artifice before the session of the court, and thus cause the bond to be forfeited, and at the same time send the negro down the Mississippi and sell him into servitude. Armed men lurked for several days around the premises on which he resided, but as their design was early discovered, he was kept in safety till brought before the court, where his indenture was proved to be illegal, and himself declared free. If we have been rightly informed, this is but one case out of many of a similar kind, which have happened in the states north of the Ohio.

The interest, which Mr Flower had taken in behalf of the free people of color, brought many of them to his lands as laborers. These persons had heard of the Colonisation Society, and of emigration to Hayti ; they expressed a wish to learn further particulars, and a readiness to remove to any country, where they might be relieved from the apprehensions, by which in their present situation their existence was harassed. About this time Mr Flower saw President Boyer's Address, and resolved to send out an agent to Hayti on his own responsibility, and at his own expense, to inquire on what terms he would receive colored emigrants from the United States. The easy intercourse between the western states and the West Indies, through the Mississippi and the Gulf of Mexico, suggested this channel as affording much the greatest advantages for emigration from these states. The agent, Mr Robert Graham, arrived at Port au Prince on the 11th of July, 1822, where he met with a kind reception from the Secretary Inginac, and from President Boyer. He received little encouragement, however, as to the main object of his inquiry, which was whether the Haytian government would pay the expenses of transporting such persons as should emigrate. The President expressed his utmost willingness to receive all that might come, and to provide them with lands to cultivate, and contribute to their subsistence till they should be able to support themselves ; but he declined

holding out any temptation by offering to pay their passage. An agent he said had already come over from the United States, and obtained considerable funds for transporting free people of color to the island, but he had absconded with the money in his pocket. Emigrants had also arrived at the island, whose expenses had been paid by the government, but who proved to be vagabonds, and pestilent members of society. After these experiments, the President deemed it necessary to temper his benevolence with caution, and not to hold out a lure, which would draw around him only the idle and the worthless. He generously paid the agent's expenses from Illinois to Hayti, which had already been advanced by Mr Flower, without expecting a remuneration, and he agreed to give lands, protection, and all the privileges of citizenship to any persons of color, who might be disposed to emigrate from Illinois. The President also offered to receive fifty persons, and pay their passage out of his private funds, if they would consent to work his own lands on shares; and the Secretary made the same proposal.

On Mr Graham's return, twentyfour colored people resolved to try their fortunes in Hayti, and being assisted by Mr Flower with such necessary means, as they did not themselves possess, they embarked for New Orleans under the care of Mr Graham in April, 1823. Here they left their guide and took passage for Port au Prince, where they arrived safely, after suffering much from exposure during the voyage, as they were deck passengers. They have written to their friends in Illinois, stating that they reside on the President's lands at Logan, about twenty miles from Port au Prince, that their prospects are good, and that they hope soon to be able to refund the money, which Mr Flower had advanced on their account.

This narrative speaks not less favorably, than President Boyer's instructions to his agent, of the wisdom, the good policy, and fair intention of the Haytian government, in regard to the encouragement held out to emigrants to settle in that island. Mr Graham was much pleased with the aspect of society, and the apparent strength and equitable administration of the government. Great attention is paid to education; schools and the higher seminaries of learning are rapidly multiplying;

and in the city it is a rare thing to find a person under thirty years of age, who cannot read and write. The legislature of Hayti consists of a senate and house of representatives, the former composed of twentyone members, and the latter of sixtyfive. The President is elected for life, but can be deprived of his office by the senate for maladministration. Mr Graham was present at the opening of a congress, and the deliberations of this body were conducted with dignity, method, and order. The republic of Hayti maintains a standing army of about forty thousand men, but on an emergency can bring one hundred thousand into the field.

ART. IX.—*Escalala, an American Tale.* By SAMUEL B. BEACH. 12mo. pp. 109. Utica. W. Williams. 1824.

IF an opinion may be formed by the experiments already tried, the character of the North American Indian affords but a barren theme for poetry. *Atala* is an Indian story, it is true, yet the fancy of the poet has made the grace and beauty of his picture consist more in adscititious ornaments, than in any strongly drawn lines peculiar to Indian life and manners. Campbell, in his *Gertrude of Wyoming*, has attempted the portraiture of an Indian, in the character of Outalissi the Oneyda warrior,

‘ Train’d from his tree rock’d cradle to his bier,
The fierce extremes of good and ill to brook
Impassive—fearing but the shame of fear—
A stoic of the woods—a man without a tear.’

These characteristics are true to nature, but viewed in all his conduct, Outalissi is only half an Indian, partaking alike of the habitudes and feelings of the white and the red man. It cannot be denied, however, that the poet has succeeded better than the painter, who has thought to illustrate his conceptions by embodying them in a visible form. In one of Westall’s designs for a beautiful edition of Campbell’s poems, the Oneyda warrior is represented with curled hair, African features, and a white beard, three most extraordinary appendages to the head of a North American Indian.